



**CITY OF GARDNER
CONSERVATION COMMISSION**

Gardner City Hall – Manca Annex
115 Pleasant St., Room 202

978-630-4014

Gardner, MA 01440

fax 978-632-1905

MEETING

Monday, May 9, 2016 at 6:30 p.m.

**CITY HALL ANNEX
SECOND FLOOR MEETING ROOM 203**

ANNOUNCEMENT - Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the Chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All Documents referenced or used during the meeting must be submitted in duplicate to the Conservation Agent for the Conservation Commission. All documents shall become part of the official record of the meeting.

A G E N D A

PUBLIC HEARINGS

1. The Gardner Conservation Commission will resume a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Notice of Intent** filed by **Conrad Donell**, 106 Lancaster Road, Shirley, MA, for remediation of a Wetland and Certified Vernal Pool and its associated protective buffer zone as required by an enforcement order issued by the Gardner Conservation Commission under the Gardner Wetlands Protection Ordinance (City Code 650). The proposed work will include the restoration of 5,483 square feet of disturbed wetland area and Certified Vernal Pool habitat and the entire 100-foot “No Disturb” protective zone. The work will consist of re-planting native vegetation and any necessary physical and biological soil remediation required or necessary to restore the original function and values. The vegetation within and adjacent to the wetland, Certified Vernal Pool, and the buffer zone were cut in violation of an existing Order of Conditions (DEP #160-0511) and the Gardner Wetlands Protection Ordinance (City Code 650).

The meeting will be held at
6:30 p.m., Meeting Room 203,
2nd Floor, City Hall Annex, on Monday, May 9, 2016

2. The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Notice of Intent** filed by **Nancy Collett**, 68 Kendall Pond Road West, for a proposed project at 68 Kendall Pond Road West. The proposed project will involve the removal of several trees and the removal and installation of a shed. The proposed work is within 100-feet of Kendall Pond and as close as approximately 38-feet to 50-feet.

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3. The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Notice of Intent** filed by **John Cestone**, 61 Kendall Pond Road East, for a proposed project at 61 Kendall Pond Road East. The proposed project will involve the removal of several trees. The proposed work is within 100-feet of Kendall Pond.

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4. The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Notice of Intent** filed by the **City of Gardner**, 95 Pleasant Street, for installation of a new dock on public City property at Kendall Pond (H17-13-4). The proposed work will be for the purpose of providing public access to Kendall Pond for recreational uses allowable under state laws and local codes. The project involves work within Land Under Water, Kendall Pond and within the 100-foot buffer zone of Wetland Resource Areas, the bank of Kendall Pond and Bordering Vegetated Wetland.

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Greg Dumas, Chairman
Gardner Conservation Commission

MEETING

Minutes

Vote to Approve Minutes of the Meeting of *April 25, 2016*.

Request for Determination of Applicability

The Gardner Conservation Commission will resume the joint Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Request for Determination of Applicability** filed by **Pan Am Railways**, represented by Keith Morris, Environmental Consultant, related to work located along the Pan Am Railways Right-of-Way, to be conducted under a Vegetation Management Plan (VMP). The Commission shall determine whether the boundaries of resource areas depicted on the plan and/or maps are accurately delineated. Continued from the meeting of April 25, 2016.

Enforcement Order

Sunshine Realty Trust, Conrad Donell Trustee, Sapphire Park at Pearl Street and Shawn Avenue (*Continued from Meeting of April 25, 2016*):

- Status Update: Notice of Intent – Vernal Pool Violation Remediation
- Peer Review – Phase II

Presentations

Janet Morrison, Land Conservation Consultant – *Landscape Partnership Project*
Jay Rasku, Mount Grace Land Trust – *Wellness Path and Garden Update*

New Business

- Landscape Partnership Grant Award – Commission letter to City Council requesting their support for funds to be expended and reimbursed
- Sapphire Park Phase I Completion Approval, DEP #160-0511 Special Condition
- Report of possible work within wetlands - 50 Dyer Street

Old Business

- Pitcherville Road, Hubbardston – Non-hazardous fill (potential project)
- Report of possible work within wetlands - 804 Whitney Street

NOTICE: These Agenda items consist of items that are reasonably anticipated by the Chair to be discussed at the meeting and are specifically allowed to be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Agent of the Conservation Commission